

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: §
BOLES, ET AL. § Group Art Unit: **2183**
§
Serial No.: **10/751,210** §
§
Filed: **December 31, 2003** § Examiner: **Eric Coleman**
§
Title: **Microcontroller Instruction Set** §
§ Atty. Docket No.: **068354.1411**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Honorable Commissioner:

Microchip Technology Incorporated, the owner of all right, title and interest in and to the above patent application, Application Serial No. 10/751,210, and U.S. Patent No. 6,708,268 ("the '268 Patent") hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified patent application which would extend beyond the expiration date of the '268 Patent.

Applicants also hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the '268 Patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, their successors and assigns.

In making the above disclaimer, Applicants do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term, as defined in 35 U.S.C. §§ 154-156 and 173, of the '268 Patent, as presently shortened by any terminal disclaimer filed prior to the patent grant, in the event that the '268 Patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued or is

in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The Commissioner has been authorized to debit the Deposit Account of Baker Botts L.L.P. Deposit, No. 02-0383, Order Number 068354.1411 in the amount of \$130.00 for the terminal disclaimer fee under 37 C.F.R. § 1.20(d). Should the Commissioner deem that any additional fees are due, including any fees for extensions of time, Applicants respectfully request that the Commissioner accept this as a petition therefor, and direct that any additional fees be charged to the Deposit Account of Baker Botts L.L.P., No. 02-0383, Order Number 068354.1411, for any underpayment of fees that may be due in association with this filing.

The undersigned is an attorney of record in the present case.

Respectfully submitted,

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